

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: ETRD, EFIS, CA

SUBJECT: COUNTERVAILING DUTY INVESTIGATION -- CERTAIN
GROUNDFISH AND SHELLFISH FROM CANADA

REF: A) PLACKE/BLUM TELECON, 7/18/78; B) STATE 168681;
C) STATE A-2286, 6/22/78; D) STATE A-2496, 7/11/78

1. TREASURY DEPARTMENT EXPECTS TO MAKE A FINAL COUNTER-
VAILING DUTY DETERMINATION REGARDING CERTAIN GROUNDFISH
AND SHELLFISH FROM CANADA BY THE END OF AUGUST. DETERMINA-
TION IS LIKELY TO BE MADE IN ADVANCE OF DECEMBER 30, 1978,
STATUTORY DEADLINE BECAUSE PREVIOUS CVD CASES ON SIMILAR
EXPORTS HAVE PROVIDED TREASURY WITH SOME OF THE NECESSARY
INFORMATION ON GOC PROGRAMS AND THEIR UTILIZATION BY
CANADIAN FISHING INDUSTRY. MOST OF FISH COVERED BY THIS
LATEST PETITION ENTERS U.S. DUTY-FREE (SEE PARA 2). NO
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SPECIAL DUTIES WOULD BE COLLECTED ON NON-DUTIABLE CATEGORIES
OF FISH UNTIL AND UNLESS U.S. INTERNATIONAL TRADE COMMIS-
SION DETERMINES THAT A U.S. INDUSTRY HAS BEEN, OR IS
LIKELY TO BE, INJURED BY REASON OF THE SUBSIDIZED IMPORTS.
BY LAW USITC MUST MAKE ITS DETERMINATION WITHIN THREE
MONTHS OF THE FINAL TREASURY DETERMINATION. IN RECENT
CASES AT LEAST, USTIC HAS TAKEN CLOSE TO FULL STATUTORY

PERIOD TO MAKE ITS FINDING.

2. FEDERAL REGISTER NOTICE OF JUNE 16, 1978 (REF C)
INDICATES WHICH FISH IMPORTS COVERED BY THE SECOND CVD
DETERMINATION ON GROUND FISH ARE DUTY-FREE AND THUS
REQUIRE AN INJURY DETERMINATION. USITC HAS SCHEDULED
A HEARING ON THIS CASE FOR AUGUST 15. ITC COMMISSIONERS
ARE LIKELY TO VOTE ON THIS CASE SEVERAL WEEKS AFTER THE
HEARING. OF THE FISH COVERED BY THE LATEST PETITION
(SEE FEDERAL REGISTER NOTICE OF JUNE 10, REF D), 5.8
MILLION DOLLARS OF OF 5.9 MILLION DOLLARS OF THE GROUND-
FISH AND ALL OF THE SHELLFISH ENTER THE U.S. DUTY-FREE
AND WOULD THUS REQUIRE AN INJURY DETERMINATION. SHELLFISH,
OF COURSE, DO NOT BENEFIT FROM THE GROUND FISH TEMPORARY
ASSISTANCE PROGRAMME (GTAP). THUS, THE ACTIONS TAKEN TO
MEET THE CONDITIONS FOR A WAIVER ON THE EARLIER GROUND FISH
CASE ARE NOT RELEVANT TO THESE SHELLFISH, AND TREASURY
WOULD BE REQUIRED TO BEGIN LEVYING COUNTERVAILING DUTIES
IF THE USITC WERE TO FIND INJURY IN THE LATEST CASE.
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